

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
November 16, 2009**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:05 A.M. on November 16 2009 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS

PRESENT: Patricia M. Selig, R.N., F.N.P., Ph.D, Vice President
Peregrin Francisco, R.N. F.N.P.
Joyce A. Hahn, Ph.D.; APRN, NEA-BC
Florence Jones-Clarke, R.N., M.S.
Patricia C. Lane, R.N., B.S.N., M.B.A.
Lynne M. Cooper, Citizen Member, President (joined later)

BOARD MEMBER

ABSENT: John M. Horn, L.P.N.

STAFF PRESENT:

Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director
Brenda Krohn, R.N., M.S., Deputy Executive Director
Jodi P. Power, R.N., J.D., Deputy Executive Director (joined later)
Gloria D. Mitchell, R.N., M.S.N., M.B.A., Deputy Executive Director (joined later)
Donna Lee, Senior Discipline Specialist
Amy Davis, Administrative Assistant (joined later)

OTHERS PRESENT:

Howard M. Casway, Senior Assistant Attorney General
Nursing students from Prince William County; Career Training Solutions; MCI-Richmond; Bon Secours; Fortis College; AC DC Adult Education Center

**ESTABLISHMENT OF
A QUORUM:**

With five members of the Board present, a quorum was established.

FORMAL HEARINGS:

Lauren L. Young, R.N. Reinstatement Applicant 0001-068286
Ms. Young appeared.

Mary Beth Shelton, Adjudication Specialist represented the Commonwealth. Mr. Casway was legal counsel for the Board. Beth Aliff, court reporter, recorded the proceedings.

CLOSED MEETING:

Ms. Jones-Clarke moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:30 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Young. Additionally, Ms. Jones-Clarke moved that Ms. Douglas, Ms. Krohn, Ms. Lee and

Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 9:42 A.M.

Ms. Jones-Clarke moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Ms. Lane moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Shelton and amended by the Board.

The motion was seconded and carried unanimously.

ACTION:

Ms. Francisco moved that the Board of Nursing reinstate the professional nursing license of Lauren Young.

The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

RECESS:

The Board recessed at 9:50 A.M.

RECONVENTION:

The Board reconvened at 10:00 A.M.

FORMAL HEARINGS:

Caroline Quarshie, L.P.N. Reinstatement Applicant 0002-053059

Ms. Quarshie appeared.

Cynthia Gaines, Adjudication Specialist, represented the Commonwealth. Mr. Casway was legal counsel for the Board. Beth Aliff, court reporter, recorded the proceedings.

Vicky Fox, Senior Investigator, Department of Health Professions; Jesse McHassen, friend; George Tamakloe, friend; Shirley Quaye, daughter-in-law; Suad Zakari, friend; Esi Adjei, friend; Julia Mankata-Tamaklie, friend; Gloria Ephraim, friend and fellow nurse were present and testified.

CLOSED MEETING:

Ms. Jones-Clarke moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 11:26 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Quarshie. Additionally, Ms. Jones-Clarke moved that Ms. Douglas, Ms. Krohn, Ms. Lee and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 12:00 Noon.

Ms. Francisco moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Ms. Lane moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Gaines and amended by the Board.

The motion was seconded and carried unanimously.

ACTION:

Dr. Hahn moved that the Board of Nursing reinstate the practical nursing license of Caroline Quarshie and issue her a reprimand.

The motion was seconded and carried. Dr. Selig, Ms. Francisco, Dr. Hahn and Ms. Lane were in favor of the motion. Ms. Jones-Clarke abstained.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

RECESS:

The Board recessed at 12:05 P.M.

RECONVENTION:

The Board reconvened at 1:50 P.M.

FORMAL HEARINGS:

Tamara J. Cleveland, R.N. Reinstatement Applicant 0001-102261

Ms. Cleveland appeared.

Cynthia Gaines, Adjudication Specialist represented the Commonwealth. Mr. Casway was legal counsel for the Board. Beth Aliff, court reporter, recorded the proceedings.

Loretta Hopson-Bush, Senior Investigator, Department of Health Professions; Dominique Jefferson, daughter; Denita Whiting, friend; Debbie Robinson, sponsor; Neil Jefferson, son were present and testified.

CLOSED MEETING:

Ms. Jones-Clarke moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 1:55 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Cleveland. Additionally, Ms. Jones-Clarke moved that Ms. Douglas, Ms. Krohn, Ms. Lee and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 2:26 P.M.

Ms. Francisco moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Ms. Lane moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Gaines and amended by the Board.
The motion was seconded and carried unanimously.

ACTION:

Ms. Jones-Clarke moved that the Board of Nursing deny the application for reinstatement of the professional nursing license of Tamara Cleveland.
The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

FORMAL HEARINGS:

Sherry Powers, R.M.A. Applicant

Ms. Powers appeared.

Mary Beth Shelton, Adjudication Specialist represented the Commonwealth. Mr. Casway was legal counsel for the Board. Beth Aliff, court reporter, recorded the proceedings.

Ms. Douglas left the meeting.

CLOSED MEETING:

Ms. Jones-Clarke moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 3:00 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Powers. Additionally, Ms. Jones-Clarke moved that Ms. Krohn, Ms. Lee and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.
The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 4:06 P.M.

Ms. Jones-Clarke/Dr. Hahn (notes differ) moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.
The motion was seconded and carried unanimously.

Ms. Francisco moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Shelton and amended by the Board.
The motion was seconded and carried unanimously.

ACTION:

Ms. Lane moved that the Board of Nursing approve the application of Sherry Powers to take the medication aide exam for registration and place her on probation with terms after registration.
The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

RECESS: The Board recessed at 4:10 P.M.

RECONVENTION: The Board reconvened at 4:20 P.M.

Ms. Davis, Ms. Mitchell and Ms. Power joined the meeting. Ms. Cooper joined the meeting and presided over the following hearing. Dr. Selig, Ms. Lee and Ms. Krohn left the meeting.

FORMAL HEARINGS: **Stacy Carey, R.N. 0001-165576**
Ms. Carey appeared.

Tammie Jones, Adjudication Specialist represented the Commonwealth. Mr. Casway was legal counsel for the Board. Beth Aliff, court reporter, recorded the proceedings.

Alan McDonald, Senior Investigator, Department of Health Professions was present and testified. Donna Sams, R.N., testified by telephone.

CLOSED MEETING: Ms. Jones-Clarke moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 6:00 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Carey. Additionally, Ms. Jones-Clarke moved that Ms. Mitchell, Ms. Power, Ms. Davis and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.
The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 6:28 P.M.

Ms. Jones-Clarke moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.
The motion was seconded and carried unanimously.

Ms. Francisco moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Jones and amended by the Board.
The motion was seconded and carried unanimously.

ACTION: Dr. Hahn moved that the Board of Nursing issue an order requiring Stacy Carey to complete the National Council of State Boards of Nursing online courses “Professional Accountability and Legal Liability for Nurses” and “Respecting Professional Boundaries” within thirty days of entry of the order.
The motion was seconded and carried. Dr. Hahn, Ms. Jones-Clarke, Ms. Francisco, and Ms. Lane were in favor of the motion. Ms. Cooper opposed the motion.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

Dr. Selig rejoined the meeting and presided over the following hearing.. Ms. Cooper left the meeting.

FORMAL HEARINGS: **Dawn C. Pope, R.N. 0001-129705**
Ms. Pope appeared.

Tammie Jones, Adjudication Specialist represented the Commonwealth. Mr. Casway was legal counsel for the Board. Beth Aliff, court reporter, recorded the proceedings.

Kim Martin, Senior Investigator, Department of Health Professions; and Martha Ann Spruill, LCSW, Senior Case Manager, Health Practitioners Monitoring Program were present and testified.

CLOSED MEETING: Ms. Jones-Clarke moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 7:25 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Pope. Additionally, Ms. Jones-Clarke moved that Ms. Mitchell, Ms. Power, Ms. Davis and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.
The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 7:40 P.M.

Dr. Hahn moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.
The motion was seconded and carried unanimously.

Ms. Francisco moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Jones and amended by the Board.
The motion was seconded and carried unanimously.

ACTION: Ms. Lane moved that the Board of Nursing continue Dawn Pope's professional nursing license on indefinite suspension for a period of not less than one year until such time as she can appear before the Board and provide sufficient evidence that she is safe and competent to practice.
The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

ADJOURNMENT: The Board adjourned at 7:44 P.M.

Jodi P. Power, R.N., J.D.
Deputy Executive Director